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A SHORT

E N Q U I R Y

INTO THE NATURE OF THE

TITLES CONFERRED AT PORTSMOUTH,

AND IN THE CAMPS,

BY

H. George W. King
HIS MAJESTY,

IN 1773, AND 1778;

SHEWING THE

ORIGIN AND ANCIENT PRIVILEGES

OF

KNIGHTS BANNERET.

Sir W. Fitzherbert

THE SECOND EDITION.

L O N D O N:

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IT admits of some doubt, whether the Portsmouth Knights will acknowledge any great obligations to this writer for his labours in searching old chronicles and musty records to depreciate the value of their titles; they may, however, console themselves with the reflection, that whatever this illnated book-worm may say, they have *bona fide* dignified and obtained their honours with ease and safety, during a noble semblance of naval equipment, *secure* from the dangers of actual warfare.—*Monthly Review*, January, 1774.

WE are here presented with a variety of precedents respecting the creation of Knights Banneret; from all which it appears, that previous to the late naval review at Portsmouth, this order of knighthood was never conferred but in time of war in the field of battle.—*Critical Review*, January, 1774.



P R E F A C E.

I HAVE collected all the precedents I have been able to meet with for the investigation of this enquiry, made for my own information and amusement; and the publication of this small tract may perhaps be of service to others who have the same sort of curiosity with myself, in saving them the trouble of looking over records and books, to which every person has not immediate access. My only aim has been to arrive at truth: my judgment, but not my candor, may be justly called in question,

Lincoln's-Inn.
May 2, 1779.

P. R. E. C. H.

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London: J. G. & J. 1779.

S. S. Banks 1807

A

SHORT ENQUIRY, &c.

CHAMBERLAIN, in his *Present State of England*, says, the origin of Bannerets is very ancient in this country; and *Larrey* agrees with him, that they took their name from the Banner, which they had a right to carry. We meet with the following article in *le Dictionnaire de Trevoux*; “Quelq’uns attribuent l’institution des Bannerets à Conan lieutenant de “Maximus, qui commandoit les legions Romaines en Angleterre, sous l’Empire de “Gratien 383. Un general s’étant revolté “partagea le royaume d’Angleterre, & la “Bretagne, qu’il avoit conquise, en 40 cantons, & distribua dans ces 40 cantons, 40 “chevaliers, avec pouvoir de rallier sous leur “bannière aux de leur quartier qui pourroient porter les armes De la ils furent “appelles bannerets.”

Daniel, in his *History of France*, tom. II. p. 107, gives nearly the same account

B

of

of Bannerets in the Roman government, towards the end of the 14th century. In Bridall's *Jus imaginis apud Anglos*, published in 1673, page 92, we find the following definition of a Banneret:

“Banner legalis banerium, vexillum, banneret: unde banetherius, or banerius.
 “Baro, vexillarius major, & banerettus, a diminutive of banerius, vexillarius minor:
 “a baron is called Banerherius, or banerius
 “of the baner; both the baron and banneret
 “hath one kind of baner: for the banneret
 “is created in the field, and (amongst other
 “things) by cutting the sharp point of his
 “pennon, and making a banner, *i. e.* vexillum baronis; so as the banneret hath the
 “banner, but not the dignity of the baron.”

In this Sir Edward Coke, 4 Inst. p. 6. agrees with him, who says, *This doth plainly appear by the case in 22 Edw. III. The very words of which resolution I will first set down, and then the effect. Un fuit challenge pur ceo que el fuit a baner & non allocatur: car s'il soit a baner, & ne tient par barony, il serra in assize: and Sir Thomas Smith* saith, that a banneret is a knight made in the fields, with the ceremonies of the cutting of the point of his pennon, and making it, as it were, a ban-*

* Lib. I. C. 18. De Rep. Ang.

ner; and they being before batchelor knights, are now of greater degree, allowed to display their arms in a banner in the king's army, as barons do.

They answer to the title of *Milites vexilliferi**; and in an act of the parliament of Paris, passed February 23, 1585, the knight baneret is called miles vexillatus.

There is a little poem touching the order and origin of Banerets in Britain, published at Caen about the year 1715, and composed by a Monk 500 years since. It begins with the following verses:

Banneret est moult grand honor,
Quant à Roi, prince, que signior,
Et la fondation première,
Vint d'Alexandre & sa bannière.
Quand la Perse alloit conquerant,
Et toute l'Asie querant.
L'ordre de banneret est plus que chevalier,
Comme après chevalier aeconfuit bachelier,
Puis après, chevalier, escuyer, de maniere,
Qu'après le Duc ou Roi est toujours la
Bannière.

This title had passed from England into France, but was totally abolished in the reign of Charles VII.

* Math. Paris, p. 1334.

Amongst the Spaniards Bannerets were known by the name of Riccos Hombres. *Justiniani* traces their origin in Spain to the reign of Silo and Adofinde, daughter of Alfonso I. who reigned about the end of the eighth century.

I do not find this title mentioned in the English history before the reign of Edward the First*: and none have been created since the time of Elizabeth, Sir Ralph Sadler being the last Banneret made in England†.

The solemnity used in the making a knight banneret, is thus described by Sir William Segar:

A person who is to receive this honour shall be brought between two other knights before the king or general, bearing his pennon of arms in his own hand; and, in

* Madox's Baron. Angl. p. 160.

Hist. Exch. p. 614. vol. I. De adventu comitum Dei vadiis hominum ad arma hobelariorum, sagittariorum & aliorum in obsequio regis per diversas vices existentium, per Jacobum Dandele banerettum.

This is the title on the dorse of the Roll.

Idem computat in vadiis ipsius Jacobi & aliorum subscriptorum nomine expensarum, viz. Ipsius Jacobi baneretti percipientis per diem iiii. S. trium militum quolibet milite percipiente per diem ii. S. xxxvi. hominum ad arma quolibet percipiente per diem xii. d. Magn. Rot. 16 Ed. III. Rot. compotorum, viz. Rot. I.

† I. Birch. p. 9.

the

the presence of all the nobility and other captains, the herald shall say unto the king's general, *May it please your Grace to understand, that this gentleman has shewed himself valiant in the field, and for so doing deserveth to be advanced unto the degree of a knight banneret, as worthy from henceforth to bear a banner in the war.* Then the king or general shall cause the points of his pennon or guidon to be rent off; and the new knight shall go into his tent, conducted between two other knights, the trumpets sounding all the way before him.

Bridall says, that no knight banneret can be made but in the war, and the king present, or when his standard royal is displayed in the field.

Not every knight, however, made under all these circumstances, is a knight banneret. John Chandos, a young squire, was knighted for his bravery at the siege of Cambray*; but it was not till twenty-eight years afterwards, that he was made a banneret, of which we have the following account. Just before the famous battle of Najara or Nazars, in Spain, in which the Bastard was totally defeated, upon the approach of the army, the Black Prince ordered the whole army to halt, that they

* Froissart, c. 49.

might prepare themselves for the engagement. At that instant, the lord John Chandos* brought his ensign folded up, and offered it to the Prince, saying, "Sir, here is my guidon, I request your Highness to display it abroad, and to give me leave to raise it this day as my banner: for I thank God and your Highness, I have lands and possessions sufficient to maintain it withal." Then the prince took the pennon, and having cut off the tail, made it a square banner; and this done, both he and the king Don Pedro, for the greater honour, holding it between their hands, displayed it abroad. It was *or*, a sharp pile *gules*†; and then the Prince delivered it to the lord Chandos again, saying, "Sir John, behold here is your banner, God send you much joy and honour with it;" and thus being made a knight banneret, the lord Chandos returned to the head of his men, and said, "Here, gentlemen, behold my banner and yours, take it and keep it to your honour and mine;" and so they took it with a shout, and said, that by the grace

* Froissart, c. 237. fol. 133. vid. Favine, l. 7. l. 12. p. 270, and Ashmole, p. 42. Selden's Tit. Hon. p. 790 and 791, &c.

† Ashmole's Garter, p. 708, pl. 21.

of God and St. George, they would defend it to the best of their powers.

When the fight was ended, the prince of Wales caused his banner to be raised high on a bush, standing on a hill, thereby to direct his men thither in their return from the chace; and thither came John of Gaunt, duke of Lancaster; the lord John Chandos, and many other barons, who reared up their banners orderly about the Prince's, to draw their several troops to their respective places. Thither came James, king of Majorica, who pitched up his banner before him, to which his troops resorted; and hard by him was Sir Martin Carre, with the banner of his lord, the king of Navarre. Thither at last came king Don Pedro, riding on a large black courser, much chafed with his labour in the fight, and the chase; and many other earls and barons in like manner, who made a goodly shew with their rich and embroidered streamers in the field. *Barnes's Hist. Ed. III.*

Thus finding that not every one knighted in the time of war, and under the royal standard, was a Banneret, I concluded, that an assignment of lands or money from the king, was perhaps necessary to constitute baneracy, from the following authority:
John

John Coupland*, a valiant leader, in anno 20 Edw. III. near Durham, at Nevill's castle, took, in aperto prælio, David the Second, king of Scots, for which king Edward the Third created him Knight Banneret, and gave him lands and livings. The particulars of which we find in *Barnes*, p. 383. 'Squire John Coupland, having received the queen's letters, demanding him to bring unto her his prisoner, the king of Scots, returned this bold answer †: " That as for the king of Scots, he should
 " be safely kept, and he would be an-
 " swerable for his forth-coming upon oc-
 " casion; but that he was resolved to de-
 " liver him at the command of no man or
 " woman living, but only at the pleasure
 " of his sovereign lord and master, the
 " king of England." The king being in-
 formed of this answer, with complaints from the queen, sent for John Coupland, who being brought into the presence of the king, he graciously raised him from the ground, saying, " John, the good ser-
 " vice that you have done us, and your
 " known loyalty and valour, are of so
 " high merit, that they must countervail
 " your trespass: so that we admit well of

* Co. 4 Inst. f 6. l. 1.

† Froissart, c. 139.

" your

“ your excuse, and shame light on them
 “ that bear you any envy or evil will; but
 “ now it is our pleasure, that within these
 “ three days you return home, and upon
 “ the next demand deliver up your pri-
 “ soner to the queen my wife; and to en-
 “ courage you to pursue honour, as well
 “ as to requite this last piece of service, I
 “ hereby assign you near to your house,
 “ where you shall think best, 500*l.* ster-
 “ ling of yearly rent, for you and your
 “ heirs for ever; which, till it shall be
 “ fully settled, shall this day forward be
 “ paid you yearly out of my Exchequer;
 “ and here I make you esquire for my
 “ body.” By this, says Barnes, we must
 understand him to be made Knight Ban-
 neret, as Mr. Stow* proves out of the
 record†.

The

* Stow's Ex. Records, p. 243; and Speed, p. 380.

† *Norfolcia, Suffolcia*.—Edwardus Dei Gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, thesaurario & baronibus suis de scaccario salutem, Cum sexto die Aprilis, anno regni nostri xxviii^o. per literas nostras patentes, de gratia nostra speciali & pro bono servitio, quod dilectus & fidelis noster Johannes de Cobham nobis impendit & extane impenderet, & ut statum baneretti, quem à nobis suscepit, decentius manutenere possit, concesserimus ei centum marcas percipiendas singulis annis de exitibus comitatus *Norfolciæ* per manus vice-comitis ejusdem comitatus, qui pro tempore fuerit, ad terminos sancti Michaelis &

The three following cases, however,
gave me reason to change my opinion,
that

Paschae, per æquales portiones ad totam vitam ipsius Johannis, vel quousque de terris & tenementis ad valentiam centum marcarum per annum duxerimus providendas, prout in literis nostris prædictis plenius continetur, & per diversa brevía nostra mandaverimus nuper vice-comiti nostri comitatus prædicti, quod eidem Johanni quinquaginta marcas de dicta annua summa centum marcarum, de termino sancti Michaelis, anno regni nostri Angliæ vicesimo octavo, necnon dictas centum marcas pro terminis Paschæ & sancti Michaelis proximo præteritis, de exitibus comitatus prædicti solveret, juxta tenorem literarum nostrarum prædictarum; vobis mandamus, quod visis mandatis nostris prædictis, id quod vobis constare poterit, Thomam de Morieux nuper vice-comitem comitatus prædicti præfato Johanni pro terminis prædictis virtute mandatorum nostrorum prædictorum rationabiliter solvisse eidem vice-comiti in compoto suo ad scaccarium prædictum allocetis; percipientes ab eodem Johanne literas ipsius Johannis acquiatanciæ, quæ sufficientes fuerint in hac parte. Teste meipso apud Hertfordiam xxvi^o. die Februarii, anno regni nostri Angliæ trigessimo, regni vero nostri Franciæ decimo septimo.

Norf. Suff. Irrotulamentum concessionis factæ Johanni de Cobham baneretto de c marcis per annum de exitibus comitatus Norfolciæ, per manum vice-comitis ejusdem comitatus solvendis. Mich. communia 42 Ed. III. Rot. 27.

Norf. Suff. A grant to John de Cobham, banneret, of c marks yearly, done a nostre manoir de Drayton Mich. communia 42 Edw. III. Rot. 27.

Johannes dominus de Gommeniz, banerettus, capitanius villæ de Arde, debet ccxxil iiis ix d per ipsum receptos de Wilhelmo de Gunthorp thesaurario villæ
Calefiæ,

that a gift of land at the time of knight-hood, alone constituted a banneret. One of them being of a banneret, who had no gift of land, and the other two of knights, with gifts of lands from the king, without being bannerets.

1. At the siege of Cambray, Henry Eam* being dubbed knight, the king assigned him, for his better maintenance, 200*l.* sterling, *per annum*, to be raised of certain lands in England; and being again knighted by the prince of Wales, with an

Caleſiæ, pro rewarde ſpeciali de dono regis, centum libras per quarterium anni pro centum hominibus ad arma eidem domino per conſilium regis conceſſas a primo die Junii anno xliiii^o regis E. tertii uſque xxii^m diem Decembris proximo ſequentis, ſcilicet per ccv dies, retroque die computato, deductis iiii*l* ix*s* iiii*d* ob. que pro rewarde unius baneretti per cii dies duorum militum per cvii dies & unius militis per quatuorviginti ix dies vacantis infra idem tempus ibidem, & reſpondent in rotulo ex annali mag. rot. 2 Ric. II. item Londonia Middleſexia m. 2. 6. Et ſe celluy a qui prier aſcun chartre de pardon pur murdre, mort de home tue per agait aſſaut ov malice purpence, treaſon, rape de feme, ſoit graunte ſoit ercheveſque ou duk, paie ou roy m marcz & ſil ſoit evesque ou count paie au roy m marez. Et ſil ſoit abbe, priour, baron ou baronet, paie au roy cinque cent marcz. Et ſil ſoit clerk bacheler, ou autre de meindre de quele condition que il ſoit, paie au roy deux centz marez, & cit empriſone dun an. ſtatut. 13 Ric. II. & 2 chap. 1. apud Pynſonum Typrogr. Regium.

* Froiſſart, c. 39.

allowance from him of 100 marks *per ann.* more*. *Barnes*, p. 140, says, by the second knighthood he imagines, he was then only made Knight Banneret.

2. After the defeat of the French fleet before the haven of Sluce, in 1340, the king dubbed Nele Loring a knight, for his brave services, giving him, by letters patent, a donation of 20*l.* a year for him and his heirs for ever†; but I do not find that he is a banneret, being mentioned in the king's company at the battle of Cressy, without the title of banneret, which addition is given at the same time to Sir Peter Grandison and lord John Engaine.

3. Before the battle of Cressy 1346, the king created fifty new knights‡, amongst whom was Sir John Beauchamp, younger brother to the earl of Warwick; but amongst the captains at the plain of Veronfosse, 1339, headed by the noble and warlike bishop of Lincoln§, and the bishop of Durham, were Sir John Chandos, lately

* Vide ad ann. Reg. 23.

† Ashmole, p. 700. vid. commun. Jer. Irin. 15. Ed. III. m. 3. dorso.

‡ Ashmole, p. 655. Hume, vol. II. p. 196, mentions the great pains Ed. III. took to encourage his officers and men before the battle.

§ Knighton, p. 2577, p. 40.

knighted

knighted by the king, and Sir John Beauchamp, younger brother to the earl of Warwick*. That the second time of knighthood, he could only be created Knight Banneret, according to Ashmole's observation.

From the foregoing, and many other cases, some may be induced to believe, that no esquire can be made a banneret, without having been before dubbed a knight; and this suspicion is confirmed by Sir Thomas Smith, *De Republica Anglorum*, p. 150, who says, "*equites vexilliferi in acie fiunt, abscissa scilicet vexilli cuspidē in formam signi militaris unde ex equite cælibe in eum honoris gradum sic promoveantur, ut in vexillo insignia sua perinde expandendi jus & autoritas illis constet, atque si barones ipsi forent. Sed exolevit iste fere per Angliam ordo.*"

Bannerets were next in rank to barons. In the proceedings against John de Gomeniz (who was beheaded because he was a banneret and a gentleman†), and Wil-

* Dugdale, vol. I. p. 231. ubi tamen militari cingulo donatum biennio ante hæc memorat aut vero in hoc errat, aut hæc in campo equitum creatio differt ab aliâ Ashole.

† Cotton's Abstract Records in the Tower, vol. I. p. 158.

William de Weston, in the first parliament of Richard II, it is said, that the lords of the parliament, the king of Castile and Leon, duke of Lancaster, Edmund earl of Cambridge, and divers other earls and barons, mentioned by name*, et plusieurs autres seigneurs barons & bannerets esteants audit parlement assemblez, had taken advice touching the answer of the defendants; and in the statutes of the same king, we find every archbishop, bishop, abbot, prior, duke, earl, baron, banneret, &c. are commanded to appear in parliament. . 2 stat. 3 Rich. II. cap. 4. Walsingham, p. 339, ed. Franc. et Rot. Parl. 1 Hen. IV. m. 16. n. 59. de banerettis quibus plane eo nomine sedes et vox inter proceres regni erat.

A banneret was an honorary baron, or, as Elsyng supposes, a peer, who enjoyed a mixed honor. He enjoyed the same privileges in war as a baron, as we have evidently seen. He was called at the king's pleasure to the upper house, and was exempted from serving on juries, and in the house of commons. This is clear from Lord Camoys, under Rich. II, being discharged from being knight of the shire of

* Rot. Parl. 1 Rich. II. m. 6.

Surrey,

Surrey, because he was a banneret. This was the writ:

Rex vice-comiti Surridæ, salutem: quia ut accepimus tu Thomam Camoys chivaler, qui baneretus est sic ut quamplures antecessorum suorum extiterunt, ad essendum unum militum venientium ad proximum parliamentum nostrum, pro communitate comitatus prædicti, de assensu ejusdem comitatus, elegisti: nos advertentes, quod hujusmodi baneretti, ante hæc tempora, in milites comitatus, ratione alicujus parliamenti eligi minime consueverunt, ipsum de officio militis ad dictum parliamentum pro communitate comitatus prædicti, venturi, exonerari volumus; et ideo tibi præcipimus quod quendam alium militem idoneum & discretum, gladio arctum, loco ipsius Thomæ eligi, & eum ad diem & locum parliamenti prædicti venire facias, cum plena et sufficienti potestate ad consentiendum hiis quæ in parlamento prædicto fient juxta tenorem primi brevis nostri tibi pro electione hujusmodi militum directi, & nomen ejus nobis scire facias teste rege apud Westmonasterium octavo die Octobris.

Claus. dorf. 7 Rich. II. m. 32.

Some writers seem to think banneret, being called baronet sometimes, signified
baron,

baron, notwithstanding the expression *quamplures antecessorum suorum extiterent*, and Thomas de Camoys being chosen a knight of the shire, which, had he been a baron, he would certainly have been exempted from, though by pleading his privilege he did not serve in that capacity; but Selden says, after the nobility the Knight of the Garter takes place, next follows a Knight Banneret, who, by statute 5 Rich. and 19 Rich. II, is ranked after barons, and that precedence was confirmed by James I. *

Selden likewise gives us the following case: in an attainder under Henry VI, one of the jury challenged himself because one of his ancestors had been bannerets and signors de parliament, 35 Hen. VI. fol. 46. a tit. challenge, 44. But had he been a baron, propter honoris respectum, he would not have been impanelled by the sheriff, who, being of the same county, must doubtless have known his rank.

In Brooks's abridgment, tit. Challenge, n. 18. a cause is alledged by some one, that he was a banneret and lord of parliament, and had place there, and so ought not to be of a jury. And this is clearly

* Seld. Tit. Hon. 2. II. 3. Blak. vol. I. p. 404. explained

explained by Elsynge, in the manner of holding parliaments in England, p. 40, an. 49 Hen. III. Radulphus de Camoys was summoned and ranked in the roll above all barons, and Ralph Camoys, his son, was summoned, ann. 7 Edw. II. and ever after, during his life, by Edw. II, and III. and yet 7 Rich. II. clause m. 32 dorso, Thomas Camoys, the grandchild (if I mistake not the pedigree) being chosen one of the knights for Surrey, was discharged by the knight's writ, *quia ipse, & quamplures antecessorum suorum banneretti fuerunt*; and king Rich. II, summoned him to that very parliament of an. 7. and he was summoned ever after during life. I doubt not the heralds will affirm, that Ralph Camoys, the father and son, yea, and this Thomas Camoys, were barons; but how then will they answer the record of 7 Rich. II, who saith they were bannerets, a title given to the peers of that age, as that of milites was in the time of Edw. I. and the king's tenants in capite in the time of king John.

I conceive, says he, that Camoys was called to parliament three descents, yet, not being created a baron by investiture of robes, but only called by writ, he was but a baron's peer, and no baron; and it seems to me, that those claims of privilege, not to be impanelled

of a jury, which occur in our year books, were made by peers, and not by barons. For the trial was by the parliament record, whether summoned or not, and not by the heralds for their creation. For it is impossible but a sheriff of a county should know a baron of the same shire: his creation (if he were the first) his appearance in the parliament in robes, and the hatchments at his father's funeral, if the barony descended unto him, would be so notorious, that the sheriff of the same shire could not so mistake as to impanel him of a jury, and the bailiff dwelling in the same hundred warn him to appear. To prove that peers were summoned as well as earls and barons, vide the antient manuscript of *modus tenendi parliamentum. cap. de laici; summoneri debent omnes & singuli, comitis, barones, & eorum pares.*

Thus it is clearly proved, that bannerets are not, according to Selden, synonymous for barons. It is shewn that they had the privileges of barons, and that they sat in the upper house. These circumstances add to the presumption drawn from the three cases before-mentioned, corroborated by Sir Thomas Smith, that only a Knight Banneret was capable of enjoying so great an honour, it being the title next above the knight batchelor. Find-
ing

ing no precedents except Sir John Coupland, who had performed extraordinary signal services, of making an esquire a Knight Banneret, without having been first a knight bachelor, I was at first inclined to believe, that intermediate title was necessary, but I leave that point to be discussed by more able antiquarians than myself, being unnecessary in the present question.

I regard as erroneous what is said in regard to the title of Knight Banneret only being conferred after a victory; at the battle of Newark Sir Gilbert Talbot, Sir John Cheynys, and Sir William Stoner, were made bannerets before the battle of Henry VII*, and we have seen Sir John Beauchamp had the same honour conferred upon him before the battle of *Crecy*: but it seems certainly necessary from every case we have seen, that bannerets should at least be created under the royal standard, in the field of battle, immediately before or after battle, or as in the case of Sir John Coupland, whose title was probably conferred some short time after the victory, for eminent services in the field of battle.

* MS. ubi de coronat. Hen. VII, baptismo Arth. principes, &c. p. 27. in Biblioth. Cotton.

The present time of peace, therefore, is a full answer to the argument, that his majesty has lately conferred the title of Knight Banneret at Portsmouth*; and this objection must be too obvious to trouble the reader with any further digressions upon the subject, and must be unanswerable by even those who do not think an intermediate title of common knighthood requisite. It is impossible, therefore, that the officers knighted at Portsmouth, though indisputably worthy of every title and mark of distinction, should, as was believed, be Knights Banneret.

* Two or three of the knights, whose title was conferred upon them at Portsmouth, insisted, however, to the day of their death, they were Knights Banneret, and never paid their fees.

P O S T S C R I P T.

IT has been imagined by some, that the knights lately made at the Camps are Knights Banneret; the present hostilities with France, however, do not make them so, for every precedent we have seen shews the title of Knight Banneret can only be conferred either in the field of battle, or for eminent services in battle, even if it is not necessary that this title should be conferred under the royal standard.



